

1 **DICKINSON WRIGHT PLLC**

MICHAEL N. FEDER (Nevada Bar No. 7332)

2 Email: [mfeder@dickinson-wright.com](mailto:mfeder@dickinson-wright.com)

3883 Howard Hughes Parkway, Suite 800

3 Las Vegas, Nevada 89169

Tel: (702) 550-4400

4 Fax: (844) 670-6009

5 **MINTZ & GOLD, LLP**

PETER GUIRGUIS (Admitted Pro Hac Vice)

6 Email: [guirguis@mintzandgold.com](mailto:guirguis@mintzandgold.com)

SCOTT KLEIN (Admitted Pro Hac Vice)

7 Email: [klein@mintzandgold.com](mailto:klein@mintzandgold.com)

600 Third Avenue

8 New York, NY 10016

Tel: (212) 696-4848

9 Fax: (212) 696-1231

10 *Attorneys for Venetian Casino Resort, LLC and*  
11 *Interfact Group-Nevada, Inc.*

12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 VENETIAN CASINO RESORT, LLC, a  
Nevada limited liability company,

15 Plaintiff,

16 v.

17 ENWAVE LAS VEGAS LLC, a Delaware  
18 limited liability company,

19 Defendant.

Case No. 2:19-cv-01197-JCM-DJA

**STIPULATION AND [PROPOSED]  
ORDER FOR AN EXTENSION OF  
TIME FOR VCR AND INTERFACE TO  
FILE THEIR REPLY IN SUPPORT OF  
THEIR MOTION TO STRIKE AND  
MOTION TO REVOKE INTERVENOR  
STATUS**

**[SECOND REQUEST]**

22 ENWAVE LAS VEGAS LLC, a Delaware  
23 limited liability company,

24 Counterclaimant,

25 v.

26 VENETIAN CASINO RESORT, LLC, a  
Nevada limited liability company, and  
27 INTERFACE GROUP-NEVADA, INC., a  
Nevada corporation,

28 Counterdefendants.

1 GRAND CANAL SHOPS II, LLC, a  
2 Delaware limited liability company,

3 Counterclaimant,

4 v.

5 VENETIAN CASINO RESORT, LLC, a  
6 Nevada limited liability company

7 Counterdefendant.<sup>1</sup>

8 Plaintiff/Counterdefendant VENETIAN CASINO RESORT, LLC, (“VCR”) and  
9 Counterdefendant INTERFACE GROUP-NEVADA, INC. (“Interface,” collectively with VCR,  
10 “Venetian Parties”), by and through their counsel of record the law firms of Dickinson Wright  
11 PLLC and Mintz & Gold, LLP, Defendant/Counterclaimant ENWAVE LAS VEGAS LLC  
12 (“Enwave”), by and through its counsel of record the law firms of Brownstein Hyatt Farber  
13 Schreck, LLP and Baker Donelson Bearman Caldwell & Berkowitz, PC, and Intervenor GRAND  
14 CANAL SHOPS II, LLC (“GCS”), by and through its counsel of record the law firms of King &  
15 Spalding LLP and Santoro Whitmire, hereby stipulate and agree, subject to this Court’s approval,  
16 pursuant to Local Rule 7-1 and Local Rule IA 6-1 to extend (a) the deadline for Enwave to  
17 supplement its response to Venetian Parties’ discovery requests (deadline for initial responses  
18 was March 22, 2021); (b) the deadline for the Venetian Parties to file a Reply in support of the  
19 Motion to Strike GCS’s Counterclaim and to Revoke GCS’s Intervenor Status (“Motion to  
20 Strike”) (current deadline is April 13, 2021); and (c) the deadline for the Venetian Parties to file  
21 a response to GCS’s Amended Counterclaim (current deadline is April 13, 2021), as follows:

- 22 1. On January 11, 2021, GCS filed its Counterclaim against Enwave (ECF No. 68);
- 23 2. On January 26, 2021, the Court approved the Parties’ Stipulated Discovery Plan  
24 and Scheduling Order, providing for Enwave to respond and produce documents in response to  
25 the Venetian Parties’ discovery requests by February 19, 2021 (ECF No. 72);
- 26 3. On February 1, 2021, the Parties filed a Stipulation and Proposed order for  
27

28 <sup>1</sup> The Venetian Parties object to the caption as incorrectly listing VCR as the Counter Defendant.

1 Extension of time for Enwave to respond to GCS's Counterclaim (ECF No. 74) ("First  
2 Stipulation");

3 4. On February 1, 2021, the Venetian Parties filed a Motion to Strike GCS's  
4 Counterclaim and to Revoke GCS's Intervenor Status (ECF No. 75);

5 5. The Court approved the First Stipulation, providing Enwave until February 11,  
6 2021, to respond to GCS's Counterclaim (ECF No. 76);

7 6. On February 10, 2021, GCS filed its Amended Counterclaim (ECF No. 77);

8 7. On February 16, 2021, GCS filed its Response to the Venetian Parties' Motion to  
9 Strike (ECF No. 78);

10 8. Enwave then requested additional time to respond and produce documents in  
11 response to the Venetian Parties' Rule 34 discovery requests and the Venetian Parties, as a  
12 professional courtesy, agreed to the same, contingent upon GCS agreeing to an extension of the  
13 deadline for the Venetian Parties to file the Reply in support of the Motion to Strike and the  
14 deadline to file any new motion to strike with respect to GCS's Amended Counterclaim, to  
15 which GCS agreed;

16 9. On February 23, 2021, the parties filed a stipulation and proposed order to extend  
17 (a) the deadline for Enwave to respond and produce documents in response to the Venetian  
18 Parties' Rule 34 discovery requests, and to respond to GCS's Amended Counterclaim, to March  
19 22, 2021; (b) the deadline for the Venetian Parties to file a response to GCS's Amended  
20 Counterclaim to April 13, 2021; and (c) the deadline for the Venetian Parties to file a Reply in  
21 support of the Motion to Strike GCS's Counterclaim to April 13, 2021. (ECF No. 79);

22 10. On February 25, 2021, the Honorable Magistrate Judge Brenda Weksler approved  
23 the parties' February 23, 2021 stipulation (the "Stipulated Order"). (ECF No. 80.) To give the  
24 Venetian Parties the opportunity to review Enwave's document production prior to further  
25 briefing, the Stipulated Order provided for (a) Enwave to respond and produce documents in  
26 response to the Venetian Parties' Rule 34 discovery requests, and to respond to GCS's Amended  
27 Counterclaim, by March 22, 2021; (b) for the Venetian Parties to file any motion to strike GCS's  
28

1 Amended Counterclaim by April 13, 2021; and (c) for the Venetian Parties to file a Reply Brief  
2 in support of its Motion to Strike by April 13, 2021;

3 11. On March 22, 2021, Enwave filed its Answer to GCS's Amended Counterclaim  
4 (ECF No. 83);

5 12. On March 22, 2021, Enwave also served responses and made a document  
6 production in response to the Venetian Parties' discovery requests;

7 13. On March 23, 2021, a dispute arose regarding the sufficiency of the production,  
8 which the parties believe can be resolved with additional time for Enwave to serve a supplemental  
9 production rather than involving the Court at this juncture;

10 14. Given the foregoing, and to give the Venetian Parties the opportunity to review  
11 Enwave's document production prior to further briefing, all parties have agreed to an extension  
12 of the deadline for Enwave to supplement its response to the Venetian Parties' Rule 34 discovery  
13 requests to April 27, 2021. The parties have also agreed to extend the Venetian Parties' deadline  
14 to file any motion to strike GCS's Amended Counterclaim (ECF No. 77) and extending the  
15 Venetian Parties' deadline to file a Reply Brief in support of its Motion to Strike to May 18,  
16 2021 (ECF. No. 84);

17 15. Accordingly, all parties hereby stipulate, subject to the Court's approval, that the  
18 Venetian Parties shall file any reply brief in support of their Motion to Strike GCS's  
19 Counterclaim (ECF No. 75) and their Motion to Revoke GCS's status as an intervenor (ECF No.  
20 87) by May 18, 2021. This is the second request to extend the foregoing deadlines, and all parties  
21 submit that good cause exists for these extensions and that they are not intended for purposes of  
22 delay.

1 DATED this 23<sup>rd</sup> day of April, 2021.

2 DICKINSON WRIGHT PLLC

3  
4 /s/: Michael N. Feder

5 MICHAEL N. FEDER, ESQ. (NBN 7332)  
3883 Howard Hughes Parkway, Suite 800  
Las Vegas, Nevada 89169

6 PETER GUIRGUIS, ESQ. (Pro Hac Vice)  
7 SCOTT KLEIN, ESQ. (Pro Hac Vice)  
MINTZ & GOLD, LLP  
8 600 Third Avenue  
New York, NY 10016

9 *Attorneys for Plaintiff-Counterdefendant*  
10 *Venetian Casino Resort, LLC and*  
*Counterdefendant Interface Group-Nevada, Inc.*

11 DATED this 23<sup>rd</sup> day of April, 2021.

12 SANTORO WHITMIRE

13 /s/: Matthew Brigman

14 JAMES E. WHITMIRE, ESQ. (6533)  
10100 W. Charleston Blvd., Suite 250  
15 Las Vegas, Nevada 89135

16 LAWRENCE SLOVENSKY, ESQ.  
(Pro Hac Vice)  
17 KING & SPALDING LLP  
1180 Peachtree St. NE  
18 Atlanta, GA, 30309

19 *Attorneys for Intervenor-*  
20 *Defendant/Counterclaimant Grand Canal Shops*  
*II, LLC*

DATED this 23<sup>rd</sup> day of April, 2021.

BROWNSTEIN HYATT FARBER  
SCHRECK, LLP

/s/: Matthew A. Woolf

ADAM K. BULT, ESQ. (NBN 9332)  
EMILY A. ELLIS, ESQ. (NBN 11956)  
100 North City Parkway, Suite 1600  
Las Vegas, NV 89106-4614

MATTHEW A. WOOLF, ESQ.  
(Pro Hac Vice)  
BAKER DONELSON BEARMAN  
CALDWELL & BERKOWITZ PC  
201 St. Charles Avenue, Suite 3600  
New Orleans, LA 70170

*Attorneys for Defendant-Counterclaimant*  
*Enwave Las Vegas LLC*

21 **ORDER**

22 IT IS SO ORDERED : May 7, 2021.

23  
24 

25 Honorable Magistrate Judge Brenda Weksler  
26 United States Magistrate Judge  
27  
28